

Arizona Developmental Disabilities Planning Council Legislative Update: June 21, 2013

We have come to the end of a long and arduous 2013 State of Arizona Legislative session. As our readers may recall a total of 1158 bills were introduced at the beginning of this Legislative session. Initially, we continually followed a total of more than fifty bills, as they had either a direct or indirect potential effect on the developmentally disabled in Arizona. By the end of the Legislative session, it was clearly determined through an overview of the work done on behalf of citizens with developmental disabilities, that extensive work has been accomplished on a range of important issues. From isolation rooms in schools, to the debate on the licensing of music therapists, to the passage of a resolution on Dwarfism awareness to the largest and most time consuming issues surrounding the expansion and passage of Medicaid as well as the long term impact of that effort for our state. All in all, it was a banner year for issues of humane and compassionate treatment for all citizens.

The most prominent debate centered on Medicaid Bill 2010 and 9 budget related items. Together these constitute a 3.4 % increase over the current state budget; Senate approval by 18-11 and House approval of 33-27 occurred. This is slated to take effect 90 days after Governor Brewer's signature yesterday unless a petition drive to place it on the November 2014 general election ballot prevails. At least 86,405 signatures will be required to accomplish this effort.

Also, overall the budget contains a \$69.1 million increase in funding for CPS and other child-welfare programs; \$17 Million for the developmentally disabled; and \$ 82 Million for K-12 funding and the launch of a new funding model that will link increased school funding to performance.

Listed below, in order of passage, are the key items brought into focus and passed into law during the last six months that will have a direct effect on the developmentally disabled. Note our specific gains as listed below:

Bills Passed Related to Developmental Disability Issues

HB 2476: SCHOOLS; ISOLATION ROOMS; RESTRICTIONS

Status: Signed by Governor 4/3/13.

Summary: This law amends or changes the Arizona Revised Statutes relating to pupil discipline. It provides for the following actions: beginning in the school year 2013-2014, disciplinary policies for the confinement of pupils left alone in an enclosed space will ensure the criteria for confinement; the size of the room in which the confinement will occur; the maximum number of minutes that the pupil will be physically prevented from exiting the room in which the confinement occurs; the method for monitoring the pupil.

HB 2401: SERVICE ANIMAL; DEFINITION.

Status: Signed by Governor 4/5/13

Summary: Amends or changes the Arizona Revised Statutes related to the handling of animals. This law clarifies and expands the definition of the term service animal to include an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability including physical, sensory, psychiatric, intellectual or other mental disability. This includes a miniature horse that is individually trained to do work for a disabled individual.

HB 2042: SCHOOLS; PUPILS WITH DIABETES

Status: Signed by Governor 4/11/13

Summary: Allows voluntary diabetes care assistants to administer or assist a pupil self-administer insulin in an emergency under certain circumstances. Expands the required training provided by licensed health professional regarding diabetes.

HB 2066: DEFINITION; ARCHAIC LANGUAGE; REMOVAL

Status: Signed by Governor 4/11/13

Summary: Makes various changes to definition sections of statute in order to remove archaic language.

HB 2259: VOCATIONAL REHABILITATION; PROSTHETIC
APPLIANCES; ORTHODONTICS

Status: Signed by Governor 4/17/13

Summary: For the purposes of vocational rehabilitation, the definition of "prosthetic appliance" is expanded to include orthodontic appliances.

Impact: • To be determined

SB 1093: DISABILITY PLACARDS; NON-PROFIT
ORGANIZATIONS

Status: Signed by Governor 4/30/13.

Summary: Amends or changes the Arizona Revised Statutes related to special license plates. This law allows the issuance of up to three permanently disabled removable windshield placards to a nonprofit organization that provides assistance to senior citizens.

HB 2458: EMPOWERMENT SCHOLARSHIP ACCOUNTS; FRAUD
PREVENTION

Status: Signed by Governor 5/2/13.

Summary: Outlines additional policies that the Arizona Department of Education (ADE) can adopt to monitor fraudulent activity in Empowerment Scholarship Accounts (ESA) and details what constitutes fraudulent use of an ESA.

SB 1108: FOSTER HOME LICENSURE; IMMUNIZATIONS

Status: Signed by Governor 5/2/13.

Summary: This law changes the requirements and condition of foster home licensure.

The Department of Economic Security is prohibited from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.

SB 1100: ASDB; CONTINUATION

Status: Signed by Governor 5/7/13.

Summary: This law continues the Board of Directors of the Arizona State Schools for the Deaf and Blind (ASDB) for 10 years.

The ASDB was established in 1912 to serve children from birth through age 21. The schools currently serve over 2200 students

on three campuses, preschool services and contracted services provided at local schools. The Board continues until July 1, 2023. There is no anticipated fiscal impact to the general fund.

Below are bills we believe have been signed, but we await final public confirmation. Bills are believed to have been signed on or around 6/18/13 but action is not yet listed on LOLA. They are listed with the most recent confirmed action:

HB 2044: ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS); CONTINUATION.

Status: Passed House 2/13/13. Assigned to Senate Health & Human Services Committee. Senate second read: 2/20/13.
Recommendation: Do Pass. 3/5/13 Majority Caucus Y; Minority Caucus Y

Summary: This law would extend the AHCCCS system for 10 more years to July 1, 2023

HB 2045: AHCCCS; HOSPITAL REIMBURSEMENT METHODOLOGY

Status: Passed House 2/21/13. Passed Senate with amendments 4/15/13. Amendments Passed House 5/15/13. Passed Senate 5/16/13. Transmitted to Governor 6/13/13.

Summary: This law changes the way hospitals are paid using a process similar to those established in the Social Security Act. The law would no longer require the legislature to approve new rates.

HB 2089: AHCCCS; CHRONICALLY ILL CHILDREN

Status: Passed House 2/28/13. Passed Senate with amendments 5/14/13. Transmitted to House 5/14/13. 5/16/13 Majority Caucus Y; Minority Caucus Y. Concurrence recommended.

Summary: This law amends or changes a variety of sections of the current statutes related to ACHHS.

This law would include the following actions:

a) Use a definition of chronic illness or physical disability;

- b) Specify a diagnosis before the age of 21 years of age and whose primary diagnosis is a severe physical condition that requires ongoing medical intervention;
- c) As monies are available – a program will be established for these children that evaluates their needs; gathers statistical information; and sets up service delivery.
- d) A statewide information and referral service to enhance service delivery
- e) Acceptance of federal monies for these services
- f) This program will continue through July 1, 2023.

HB 2144: CHILD PROTECTIVE SERVICES

Status: Passed House 2/28/13. Passed Senate with amendments 6/13/13. Amendments passed House 6/13/13. Transmitted to Governor 6/14/13.

Summary: Amends or changes the section of the Arizona Revised Statutes that defines the purpose of this agency to include investigations, safety matters, cooperative work with law enforcement agencies, coordination of permanent solutions on behalf of all children.

SB 1208: PILOT; FOSTER CARE TUITION WAIVER

Status: Passed Senate 3/6/13. Passed House with amendments 5/8/13. Amendments Passed Senate 6/13/13. Transmitted to Governor 6/14/13.

Summary: This law changes the requirements and condition of foster home licensure.

The Department of Economic Security is prohibited from requiring a foster parent to immunize the parent's natural or adoptive children as a condition of foster home licensure.

SB 1375: BEHAVIORAL HEALTH SERVICES; DEPENDENT CHILDREN

Status: Passed Senate 3/4/13. Passed House with amendments 6/11/13. Amendments Passed Senate 6/13/13.

Transmitted to Governor 6/13/13.

Summary: Requires the Department of Health Services (DHS), Department of Economic Services (DES) and the Arizona Health Care Cost Containment System (AHCCCS) to collaboratively determine the most efficient way to provide services to eligible children in foster care and requires DHS and DES to report monthly on behavioral health services for children in foster care.

Resolutions & Proclamations Passed Related to Developmental Disability Issues

[SENATE PROCLAMATION](#)

DECLARING OCTOBER AS DWARFISM AWARENESS MONTH

Status: **Adopted 2/20/13.**

Summary: In an effort to be proactive in encouraging public awareness of positive stories of the dwarfism community and in keeping with their mission Little People of America (LPA) has declared October National Dwarfism Awareness Month. The following states have now passed resolutions calling for October to be Dwarfism Awareness Month: Arizona, California, Delaware, Illinois, Indiana, Kansas, Massachusetts, Mississippi, Missouri, New Jersey, New Mexico, New York, Oklahoma, and Puerto Rico.

[HCR 2035](#): RECOGNIZING ARIZONA CAREGIVERS

Status: **Adopted 3/21/13.**

Summary: A first step in creating support and resources for Arizona's 855,000 family caregivers. Family caregivers provide the majority of all caregiving for children and adults with mental and physical disabilities and frail elders.

[HR 2001](#) RECOGNIZING AUTISM ORGANIZATIONS

Status: **Adopted 3/21/13.**

Summary: The Members of the House of Representatives recognize the worthwhile organizations in this state, including the Southwest Autism Research and Resource Center, that are dedicated to providing support to people affected by autism and to advancing research efforts regarding autism spectrum disorder.

Equally as important as the above listed legislation, are the long-term relationships that have now been established with the majority of all elected officials serving from each community within our state including all urban and rural areas. Many elected officials were unaware of the needs of the developmentally disabled in Arizona prior to our scheduled visits and through one to one and staff supported meetings, we were able to bring the individual stories of real needs and real contributions to the majority of offices in both the House and Senate.

Many of these individuals have expressed an interest in follow-up before the 2014 Legislative session, and have broached the topic of comprehensive legislative needs that can be framed with both an eye to the short term and long term impact of new laws on Arizona's books. The Council will be front and center as advisors and advocates within all opportunities for next levels of work, including task force conversations on education, sustainable employment and appropriate and affordable housing for all ages of citizens with a developmental disability.

We want to thank the elected officials who went out of their way to make time for appointments as well as their support staff colleagues who facilitated what often were near impossible schedules so that these crucial face-to-face meetings and transfer of written materials could occur. Despite the strained tenor within the collective group of elected members of both the House and the Senate this year, the government relations representatives for the Arizona Developmental Disabilities Planning Council were always treated with both respect and dignity. That is a direct reflection on all citizens with developmental disabilities. There is an integrity based need to 'listen' to the information and needs of this population of Arizona's residents.

Note the list below of welcoming officials and the next time you have an opportunity to thank them personally for their support of our detailed outreach to them, know that this would not have been possible had they not been willing to receive us.

This is a watershed year for the Planning Council. The groundwork has been laid for more advanced and sophisticated work at the State Capitol in 2014. It is a privilege to work on behalf of these issues and for citizens with developmental disabilities.

List of Officials

Key:

* = *Information visit/AzDDPC packet provided/discussion of current bills/contact with key support staff members/legislative researchers.*

** = *Follow Up Visit*

(i.e., Medicaid/Isolation Rooms/Funding for Common Core Related Issues for the DD Community; Bills Introduced by each official; competitive compensation employment; future legislation).

House of Representatives

Rep. John Allen	*	Rep. Albert Hale	*
Rep. Lela Alston	*	Rep. Lydia Hernandez	*
		Rep. John Kavanaugh	*
Rep. Sonny Borelli	*	Rep. Adam Kwasman	*
Rep. Paul Boyer	**	Rep. Jonathan Larkin	*
Rep. Kate Brophy McGee	**	Rep. Debbie Lesko	*
Rep. Chad Campbell	**	Rep. David Livingston	*
Rep. Mark Cardenas	*	Rep. Phil Lovas	*
Rep. Heather Carter	**	Rep. Stefanie Mach	*
Rep. Doug Coleman	*	Rep. Debbie McCune Davis	*
Rep. Lupe Chavira Contreras	*	Rep. Juan Mendez	*
Rep. Andrea Dalessandro	*	Rep. J.D. Mesnard	*
Rep. Jeff Dial	*	Rep. Eric Meyer	*
Rep. Juan Carlos Escamilla	*	Rep. Catherine Miranda	*
Rep. Karen Fann	*	Rep. Darin Mitchell	*
Rep. Eddie Farnsworth	*	Rep. Steve Montenegro	*
Rep. Thomas Forese	*		
Rep. Rosanna Gabaldon	*	Rep. Ethan Orr	*
		Rep. Lisa Otondo	*
Rep. Sally Ann Gonzales	*	Rep. Jamescita Peshlakai	*
Rep. Doris Goodale	*	Rep. Warren Petersen	*
		Rep. Frank Pratt	*
Rep. Rick Gray	*	Rep. Martin J. Quezada	*

ARIZONA DEVELOPMENTAL DISABILITIES PLANNING
COUNCIL LEGISLATIVE REPORT



Rep. Bob Robson	*	Rep. David W. Stevens	*
Rep. Macario Saldate	*	Rep. Bob Thorpe	*
Rep. Carl Seel	*	Rep. Andy Tobin	*
Rep. Andrew Sherwood	*	Rep. Kelly Townsend	*
Rep. T.J. Shope	*	Rep. Michelle Ugenti	*
		Rep. Bruce Wheeler	*
Rep. Victoria Steele	*		

Senate

Sen. Ed Ableser	*	Sen. Barbara McGuire	*
Sen. Nancy Barto	*	Sen. Al Melvin	*
Sen. Andy Biggs	*	Sen. Robert Meza	*
Sen. David Bradley	*		
Sen. Rich Crandall	*	Sen. Lynne Pancrazi	*
Sen. Chester Crandell	*	Sen. Steve Pierce	*
Sen. Steve Farley	*	Sen. Michelle Reagan	*
Sen. Steve Gallardo	*	Sen. Don Shooter	*
Sen. Gail Griffin	*	Sen. Anna Tovar	*
Sen. Katie Hobbs	*	Sen. Kelli Ward	*
Sen. Jack Jackson, Jr.	*	Sen. Bob Worsley	*
Sen. Leah Landrum Taylor	*	Sen. Steve Yarbrough	*
Sen. Linda Lopez	*	Sen. Kimberly Yee	*
Sen. John McComish	*		